

AO 440 (Rev. 03/08) Civil Summons

**UNITED STATES DISTRICT COURT**  
for the  
Northern District of California

Christopher Upham

Plaintiff

v.

The Personal Representative of the Estate of Peter M. Fox, deceased;  
Helena F. Fox, and the Guardian Ad Litem(s) for Rebecca H. Fox  
and Robert G. Fox, Minors

Civil Action No. **08**

**1859**

Defendant

**Summons in a Civil Action**

To: The Personal Representative of the Estate of Peter M. Fox, deceased; Helena F. Fox,  
and the Guardian Ad Litem(s) for Rebecca H. Fox and Robert G. Fox, Minors  
(Defendant's name)

**MMC**

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, whose name and address are:

Douglas Stenzel, Esq.  
Law Office of Douglas Stenzel  
1111 E. Tahquitz Canyon Way, #121  
Palm Springs, CA 92262

If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: \_\_\_\_\_

Richard W. Wieking

Name of clerk of court

**MARY ANN BUCKLEY**

Deputy clerk's signature

(Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States allowed 60 days by Rule 12(a)(3).)

**Proof of Service**

I declare under penalty of perjury that I served the summons and complaint in this case on \_\_\_\_\_,  
by:

(1) personally delivering a copy of each to the individual at this place, \_\_\_\_\_; or

(2) leaving a copy of each at the individual's dwelling or usual place of abode with \_\_\_\_\_  
who resides there and is of suitable age and discretion; or

(3) delivering a copy of each to an agent authorized by appointment or by law to receive it whose name is  
\_\_\_\_\_; or

(4) returning the summons unexecuted to the court clerk on \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_.

Date: \_\_\_\_\_

\_\_\_\_\_  
Server's signature

\_\_\_\_\_  
Printed name and title

\_\_\_\_\_  
Server's address